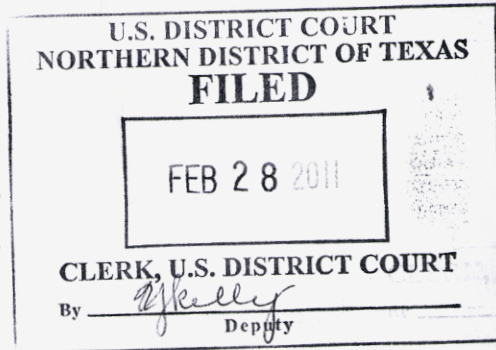


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS

Special Order No. 2-78



1. The District Judges of this Court have considered and adopted the attached amendments to the local civil rules of this Court. These amendments revise LR 7.1(i), 7.2(e), 53.1(d), 72.1(d), and 72.2(d), and they repeal LR 55.2.
2. Unless modified after receipt of public comment, these rules shall take effect on September 1, 2011 and shall apply to all proceedings in civil actions thereafter commenced and, insofar as just and practicable, all proceedings in civil actions then pending.
3. Any persons who desire to comment on any of these rules may do so by submitting written comments to:

Clerk of Court  
United States District Court for the Northern District of Texas  
Attention: 2011 Rules Revision Comments  
1100 Commerce Street, Room 1452  
Dallas, Texas 75242-1495


The deadline by which the Clerk must receive comments is June 1, 2011.

4. The Clerk of Court is directed to make the necessary distribution.

**SO ORDERED.**

February 28, 2011.

FOR THE COURT:

  
SIDNEY A. FITZWATER  
CHIEF JUDGE

**2011 PROPOSED  
LOCAL CIVIL RULES AMENDMENTS**

New material in an existing rule is **redlined**, and deleted material is ~~stricken out~~.

**LR 7.1        Motion Practice.**

**(i)        Requirement of Appendix; Appendix Requirements.**

- (1)        A party who relies on ~~documentary (including an affidavit, declaration, deposition, answer to interrogatory, or admission) or non-documentary evidence materials~~—**including depositions, documents, electronically stored information, affidavits, declarations, stipulations, admissions, interrogatory answers, or other materials**—to support or oppose a motion must include ~~such evidence~~ **the materials** in an appendix.
- (2)        The appendix must be assembled as a self-contained document, separate from the motion, response, reply, and brief.
- (3)        Each page of the appendix must measure 8½ x 11 inches. Non-documentary ~~exhibits materials~~ (e.g., videotapes and other physical ~~exhibits materials~~) and oversized ~~exhibits materials~~ (e.g., maps and schematic drawings) that are included in the appendix must be placed in an envelope that measures 9 x 12 inches.
- (4)        Each page of the appendix must be numbered legibly in the lower, right-hand corner. The first page must be numbered as “1,” and succeeding pages must be numbered sequentially through the last page of the entire appendix (*i.e.*, the numbering system must not re-start with each succeeding document in the appendix). An envelope that contains a non-documentary or oversized ~~exhibit materials~~ must be numbered as if it were a single page.

**LR 7.2        Briefs.**

- (e)        Citations to Appendix.** If a party’s motion or response is accompanied by an appendix, the party’s brief must include citations to each page of the appendix that supports each assertion that the party makes concerning any documentary or non-documentary ~~evidence materials~~ on which the party relies to support or oppose the motion.

**LR 53.1      Briefing Practice for Objections and Motions Concerning Orders, Reports, and Recommendations of Masters.**

(d) **Appendix Required.** A party who relies on ~~documentary (including an affidavit, declaration, deposition, answer to interrogatory, or admission) or non-documentary evidence~~ **materials—including depositions, documents, electronically stored information, affidavits, declarations, stipulations, admissions, interrogatory answers, or other materials—to support or oppose objections or a motion filed under Fed. R. Civ. P. 53(f)(2) must include such evidence the materials** in an appendix that complies with LR 7.1(i)(2)-(4).

**LR 55.2 ——— Default Judgments by the United States.** [Repealed]

————— ~~The United States may obtain a default judgment for money by following the procedures set forth in Miscellaneous Order No. 25.~~

**LR 72.1      Briefing Practice Concerning Objections to Magistrate Judge Orders in Nondispositive Matters.**

(d) **Appendix Required.** A party who relies on ~~documentary (including an affidavit, declaration, deposition, answer to interrogatory, or admission) or non-documentary evidence~~ **materials—including depositions, documents, electronically stored information, affidavits, declarations, stipulations, admissions, interrogatory answers, or other materials—to support or oppose objections filed under Fed. R. Civ. P. 72(a) must include such evidence the materials** in an appendix that complies with LR 7.1(i)(2)-(4).

**LR 72.2      Briefing Practice Concerning Objections to Magistrate Judge Recommendations on Dispositive Motions and Prisoner Petitions.**

(d) **Appendix Required.** A party who relies on ~~documentary (including an affidavit, declaration, deposition, answer to interrogatory, or admission) or non-documentary evidence~~ **materials—including depositions, documents, electronically stored information, affidavits, declarations, stipulations, admissions, interrogatory answers, or other materials—to support or oppose objections filed under Fed. R. Civ. P. 72(b)(2) must include such evidence the materials** in an appendix that complies with LR 7.1(i)(2)-(4).